



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,863	10/21/2003	John V. R. Krummell JR.	54007.8013.US00	6930

34055 7590 07/25/2005

PERKINS COIE LLP
POST OFFICE BOX 1208
SEATTLE, WA 98111-1208

EXAMINER

NEWTON, JARED W

ART UNIT	PAPER NUMBER
----------	--------------

3634

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/690,863	Applicant(s) KRUMMELL ET AL.	
	Examiner Jared W. Newton	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

W

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: It does not identify the citizenship of each inventor.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 18 in Fig. 1, 34 in Fig. 2, and M in Fig. 3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
3. Furthermore, the drawings are objected to because Figs. 7 and 8 are informal. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to

Art Unit: 3634

the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: Line 2 of paragraph [0006] contains the word "form" in improper context. The examiner assumes the --from-- should be used instead. Appropriate correction is required.

5. Furthermore, line 9 of paragraph [0033] improperly contains the word "by." Appropriate correction is required.

Claim Objections

6. Claims 7-12, 16,17 objected to because of the following informalities: Percent ranges are labeled inconsistently. Please use a uniform label of either "XX to XX%" or "XX% to XX%". Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,129,223 to Krummell, in view of U.S. Patent No. 6,488,248 to Watt.

8. In regard to claim 1, see figures 3-6, Krummell discloses a pushback cart system comprising a pair of spaced apart rack rails; a cart including a pair of spaced apart cart side rails, including a first wheel adjacent to a front end of the side rail and a second pair of wheels rollable along the support rails up to a back end of the support rails (see FIG. 1, Krummell). Krummell does not disclose the location of said second wheels between a back end and a midpoint of the side rail so that when the back ends of the side rails extend beyond the back ends of the support rails when the second wheels are

Art Unit: 3634

adjacent to back ends of the support rails. Watt shows a cart assembly including a guide track 14 defined by a pair of parallel flange portions 30 that serve as support rails (see FIG. 1). Watt further discloses a trolley assembly 10 and 20 including a pair of spaced apart side rails with support rollers 44 in the form of wheels (see FIG. 1). The first set of wheels or rollers 40 are adjacent to the front end of the trolley assembly, and the second set of wheels or rollers 44 are located between a back end of the trolley assembly and a midpoint of the trolley assembly (see FIG. 1). Watt further discloses a cover plate 60 for blocking the end of said guide track (see FIG. 1), wherein the wheels or rollers are rollable along said guide track up to its back end, such that the back ends of said trolley assembly 20 extend beyond the back ends of the support rails when the second wheels are adjacent to back ends of the guide track flanges (see FIG. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the use of the guide track and trolley assembly as disclosed by Watt to a pushback cart storage system as disclosed in the prior art to Krummell. The motivation for implementing such an assembly would be to reduce material costs by allowing storage of the same number of pallets as on a traditional pushback cart storage system mentioned in the prior art U.S. Patent No. 6,129,223 to Krummell, while using less material for the support structure.

9. In regard to claim 2, Krummell in view of Watt discloses a pushback cart assembly that includes all the limitations of claim 1. Krummell further discloses a second cart 42 including a pair of spaced apart cart side rails each including a pair of

Art Unit: 3634

wheels rollable along the support rails (see FIG. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the placement of the wheels on the cart system as disclosed by Watt to the push-back cart system as disclosed by Krummell. The motivation for such a wheel placement would be to enable objects to be stored on the system so that the objects overhang the edge of the support structure allowing for the same amount of storage of a pushback rack assembly as disclosed in the prior art to Krummell, while requiring less material for the construction of the support structure.

10. In regard to claim 3, Krummell in view of Watt discloses a pushback cart assembly that includes all the limitations of claim 2. Krummell further discloses a second cart 42 including a pair of spaced apart cart side rails including cart side rail flanges 48 used as wheel guides (see FIG. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine a cart system including all of the limitations of claims 1 and 2 with a second cart including the wheel guides as disclosed by Krummell. The motivation for including the wheel guides would be to allow for a plurality of carts on said system that are able to roll over each other in a telescoping fashion.

11. In regard to claim 4, Krummell in view of Watt discloses a pushback cart assembly that includes all the limitations of claim 3. Krummell further discloses two carts wherein the first wheels on one of said carts are rollable along the wheel guides, or

Art Unit: 3634

flanges 48, of the other cart (see FIG. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine a cart system including all of the limitations of claims 1, 2, and 3 with the assembly of one cart rollable along the wheel guides of a second cart as disclosed by Krummell. The motivation for such a combination would be to allow one cart to roll over the second cart so as to store a plurality of objects on the cart system.

12. In regard to claim 5, Krummell in view of Watt discloses a push-back cart assembly that includes all the limitations of claim 1, and further shows the device wherein the front wheels or rollers 40 are rollable along the guide track support flange portions 32 (see FIG. 1) to the end of the guide track 38 (see FIG. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the ability of the wheels or rollers to slide to the end of the guide track as disclosed by Watt to the pushback cart apparatus of the prior art to Krummell. The motivation for implementing such an assembly would be to provide a means of stopping the cart at a desired location on the support structure.

13. In regard to claim 6, Krummell in view of Watt discloses a pushback cart assembly that includes all the limitations of claim 1, and further shows the trolley device 10 and 20 wherein each of the second wheels 44 is located closer to the midpoint of the trolley assembly than to the back end of the trolley assembly (see FIG. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply

Art Unit: 3634

the placement of the second wheels as disclosed by Watt to the pushback cart apparatus of the prior art to Krummell. The motivation for implementing such an assembly would be to allow the back end of the cart or trolley portion to overhang the guide track or support structure when the second wheels are adjacent to the back end of the guide track or support structure.

14. In regard to claim 8, Krummell in view of Watt discloses a pushback cart assembly that includes all the limitations of claim 1. Krummell in view of Watt does not disclose the first pair of side rails extending 30 to 45% of their length beyond the back ends of the support rails when the second wheels are rolled up against the back ends of the support rails. However, Watt does disclose a cart assembly including part of its length extending beyond the back ends of its support rails when the second wheels are rolled up against the back ends of the support rails. It would have been obvious to one of ordinary skill in the art at the time of the invention to extend the side rails of the first cart any percentage of their length beyond the back ends of the support rails when the second wheels are rolled up against the back ends of the support rails. The motivation for various extensions beyond the back ends of the support rails would be to support various load carrying characteristics, while allowing the load to overhang the edge of the support structure so that less material is needed for the construction of said support structure. It would have been obvious to one of ordinary skill in the art at the time of the invention to realize that the percentage of the length of the side rails that extends past

Art Unit: 3634

the back ends of the support rails is arbitrary under a uniform load, so long as the percentage does not exceed 50% of the length of the side rails.

15. Claims 7 and 9-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,129,223 to Krummell, in view of U.S. Patent No. 6,488,248 to Watt, in further view of U.S. Patent No. 6,851,562 to Gorniak.

16. In regard to claim 7, Krummell in view of Watt discloses a pushback cart assembly that includes all the limitations of claim 6. Krummell in view of Watt does not disclose the location of the second wheels at a position 80 to 90% of a distance measured from the back end of the side rail to the midpoint of the side rail. However, Gorniak does disclose a pushback cart assembly including a second set of wheels at a location between the back end of the side rail, and the midpoint of the side rail. It would have been obvious to one of ordinary skill in the art at the time of the invention to position the second set of wheels at a location on the cart side rails between the back end of said side rails, and the midpoint of said side rails. The motivation for various locations of the second set of wheels would be to allow the side rails of the cart to extend past the rear end of the support rails when said wheels are pushed to the back ends of the support rails. Such an assembly would allow the load to overhang the edge of the support structure so that less material is needed for the construction of said support structure. It would have been obvious to one of ordinary skill in the art at the time of the invention to realize that the percentage distance between the end and

midpoint of the side rails where the wheels are located is arbitrary under a uniform load, so long as the percentage does not exceed 100% of the distance from the end to the midpoint.

17. In regard to claim 9, Krummell discloses a pushback rack storage system, comprising: a pair of spaced apart pallet support rails 22, a cart 42 including a pair of spaced apart side rails 48 adapted to support a pallet having a predetermined length, each side rail including a first wheel 58 located adjacent to a first end of the side rail (see FIG. 1, Krummell). Krummell does not disclose a second wheel located between a second end and a midpoint of the side rail, wherein the second wheels are rollable along the support rails up to a back end of the support rails such that the second ends of the side rails extend beyond the back ends of the support rails by 35 to 45% of the predetermined pallet length when the second wheels are rolled up against the back ends of the support rails. However, Watt discloses a second set of wheels 44 rollable along the support rails 32 up to a back end of the support rails, such that a portion of the cart assembly 20 extends beyond the back ends of the support rails by a certain length when the second wheels are rolled up against the back ends of the support rails (see FIG. 1, Watt). In further regard to claim 9, Gorniak discloses a pushback cart assembly having side rails 126, each of which has a second wheel 130 located between a second end and a midpoint of the side rail (see FIG. 5, Gorniak). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the pushback cart assembly as disclosed by Krummell with the extending aspect to Watt and the

placement of the wheels to Gorniak. The motivation of such an incorporation would be to enable the pushback cart assembly to extend beyond the back rails of the support structure when the second wheels of the cart are pushed to the back ends of the support rails. It would have been obvious to one of ordinary skill in the art at the time of the invention to realize that the percentage of the length of the side rails that extends past the back ends of the support rails is arbitrary under a uniform load, so long as the percentage does not exceed 50% of the length of the side rails.

18. In regard to claim 10, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 9, but does not disclose a system wherein the support rails each have a length of 155 to 175% of the predetermined pallet length. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to construct the support rails 22 as disclosed by Krummell in U.S. Patent 6,129,223 (see FIG. 1), at any desired length corresponding to a pallet to be stored on said support rails, including a length of 155 to 175% of the predetermined pallet length. The motivation for choosing a desired length would be to construct the support structure at a desired length, allowing for the carts and or pallets to overhang the ends of the support rails, or to leave extra space for additional storage on the support rails.

19. In regard to claim 11, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 10,

Art Unit: 3634

but does not disclose a system wherein the side rails on the cart each have a length of 90 to 100% of the predetermined pallet length. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to construct the side rails 46 as disclosed by Krummell in U.S. Patent 6,129,223 (see FIG. 1), at any desired length corresponding to a pallet to be stored on said support rails, including a length of 90 to 100% of the predetermined pallet length. The motivation for choosing a desired length would be to construct the cart at the desired length, allowing for pallets to overhang the ends of the side rails, or to leave extra space for additional storage on the cart side rails.

20. In regard to claim 12, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 9, but does not disclose a system wherein the side rails on the cart each have a length of 55 to 60% of the predetermined pallet length. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to construct the side rails 46 as disclosed by Krummell in U.S. Patent 6,129,223 (see FIG. 1), at any desired length corresponding to the length of the support rails 22, including a length of 55 to 60% of the support rail length. The motivation for choosing a desired side rail length would be to construct the cart at the desired length, allowing for its side rails to overhang the support structure, or to leave extra space for additional storage on the support rails.

21. In regard to claim 13, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 9,

Art Unit: 3634

but does not disclose a system wherein the predetermined pallet length is 46 to 50 inches. However, It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a pallet of any desired length into the pushback cart storage system as disclosed by Krummell in view of Watt, in further view of Gorniak.

The motivation for incorporating a pallet of any length would be to store different amounts, weights, or sizes of objects on the pushback cart assembly.

22. In regard to claim 14, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 9. Watt further discloses a cart assembly wherein the first wheels 40 are rollable along the support rails up to a back end 38 of the support rails (see FIG. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pushback rack storage system disclosed by Krummell in view of Watt, in further view of Gorniak with the cart assembly including wheels that are rollable along the support rails up to a back end of the support rails, as disclosed by Watt. The motivation for including the stopping means as disclosed by Watt in the pushback rack storage system would be to provide a stopping mechanism so that the cart does not roll off of the support rails.

23. In regard to claim 15, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 9. Gorniak further discloses a pushback cart assembly wherein each of the second wheels is located between the back end of side rails, and the midpoint of the side rails. Gorniak

Art Unit: 3634

does not disclose the location of said second wheels as being located closer to the midpoint of the side rail to which it is attached than to the second or back end of the side rail. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to place each of the second wheels at a location closer to the midpoint of the side rail to which it is attached than to the second end of the side rail. The motivation of placing the second wheels at a location closer to the midpoint of the cart than to the back end of the side rails would be to allow the back end of the cart to overhang the edge of the support structure so as to enable more accessibility to, or increased storage on the support structure.

24. In regard to claim 16, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 15. Gorniak further discloses a pushback cart assembly 44 wherein each of the second wheels 130 is located between the back end of side rails 126, and the midpoint of the side rails (see FIG. 5, Gorniak). Gorniak does not disclose the location of said second wheels as being located at a position 80 to 90% of a distance measured from the second end of the side rail to the midpoint of the side rail. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to place each of the second wheels at a any desired location closer to the midpoint of the side rail to which it is attached than to the second end of the side rail, including a position that is 80 to 90% of a distance measured from the second end of the side rail to the midpoint of the side rail. The motivation of placing the second wheels at a location closer to the midpoint of

Art Unit: 3634

the cart than to the back end of the side rails would be to allow the back end of the cart to overhang the edge of the support structure so as to enable more accessibility to, or increased storage on the support structure.

25. In regard to claim 17, Krummell discloses a pushback rack storage system, comprising: a pair of spaced apart support rails 22, a cart 42 including a pair of spaced apart side rails 48, each side rail including a first wheel 58 located adjacent to a first end of the side rail (see FIG. 1, Krummell). Krummell does not disclose a second wheel located between a second end and a midpoint of the side rail, nor does he disclose side rails of the cart that have a length that is 55 to 60% of a length of each of the support rails. However, Gorniak discloses a pushback cart system having side rails, and a second wheel located on each side rail between a second end and a midpoint of the side rail. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the pushback cart assembly as disclosed by Krummell with the placement of the wheels to Gorniak. The motivation of said incorporation would be to enable the pushback cart assembly to extend beyond the back rails of the support structure when the second wheels of the cart are pushed to the back ends of the support rails. It would have been further obvious to one of ordinary skill in the art at the time of the invention to realize that the length of the side rails, as a percentage of the length of the support rails is arbitrary. It would have been further obvious to one of ordinary skill in the art at the time of the invention to incorporate side rails of any desired length into the pushback rack storage system as disclosed by Krummell in U.S. Patent

Art Unit: 3634

No. 6,129,223 in view of Gorniak. The motivation for various side rail lengths would be to match cart sizes to various load sizes and support rail sizes.

26. In regard to claim 18, Krummell in view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 17. Krummell further discloses a pushback rack storage system wherein the second wheels 58 are rollable along the support rails 22 up to a second end of each of the support rails 22 (see FIG. 1, Krummell). Krummell does not disclose a system such that the second ends of the side rails extend beyond the second ends of the support rails when the second wheels are rolled up against the second ends of the support rails. Watt discloses cart assembly 10 and 20 on guide rails 32 (see FIG. 1, Watt), wherein the wheels or rollers are rollable along said guide track up to its back end, such that the back ends of said trolley assembly 20 extend beyond the back ends of the support guides or rails when the second wheels are adjacent to back ends of the guide track flanges (see FIG. 1, Watt). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the use of the guide track and trolley assembly as disclosed by Watt to a pushback cart storage system as disclosed in the prior art to Krummell. The motivation for implementing such an assembly would be to reduce material costs by allowing storage of the same number of pallets as on a traditional pushback cart storage system mentioned in the prior art U.S. Patent No. 6,129,223 to Krummell, while requiring less material for the construction of the support structure.

27. In regard to claim 19, Krummell in view of Watt, in further view of Gorniak, discloses a pushback rack storage system that shows all of the limitations of claim 18. Gorniak further discloses a pushback cart assembly 44 wherein each of the second wheels 130 is located between the back end of side rails 126, and the midpoint of the side rails (see FIG. 5, Gorniak). Gorniak does not disclose the location of said second wheels as being located at a position closer to the midpoint of the side rail to which it is attached than to the second end of the side rail. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to place each of the second wheels at a any desired location between the midpoints of the side rails to which they are attached than to the second ends of the side rails, including a position that is closer to the midpoints of the side rails than it is to the back ends of the side rails. The motivation of placing the second wheels at a location closer to the midpoint of the cart than to the back ends of the side rails would be to allow the back ends of the cart to overhang the edge of the support structure so as to enable more accessibility, or increased storage on the support structure.

Watt further discloses a system wherein the second ends of the side rails 10 extend beyond the second ends of the support rails 32 when the second wheels are rolled up against the second ends of the support rails (see FIG. 1, Watt). Watt does not disclose the second ends of the side rails extending beyond the second ends of the support rails by more than 35% of a total length of the side rails when the second wheels are rolled up against the second ends of the support rails. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to

construct the side rails of the cart as disclosed by Krummell so that the side rails extend beyond the second ends of the support rails by any desired length, including 35% of a total length of the side rails when the second wheels are rolled up against the second ends of the support rails. The motivation of constructing the side rails so as to have the rails extend any desired length past the end of the support rails would be to enable to rails to overhang the ends of the support rails by a desired length, so as to enable the storage of more pallets on the pushback rack assembly, while requiring less material for the construction of the support structure.

Conclusion


28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared W. Newton whose telephone number is (571) 272-2952. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3634

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWN



Richard Chilcot
Supervisory Patent Examiner
Technology Center 2600
3600